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Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CURTIS AND CHARLOTTE WESTLEY,)	No. C11-02448-EMC
Individually and on Behalf of All Others)	and related consolidated action
Similarly Situated,)	(Lead Case No. C11-3176-EMC)
)	(Derivative Action)
Plaintiffs,)	

vs.

OCLARO, INC., et al.,)
)
Defendants.)

In re OCLARO, INC. DERIVATIVE)	Lead Case No. C11-3176-EMC
LITIGATION)	(Derivative Action)

This Document Relates To:)
)
C11-02448-EMC.)

STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING DEADLINE FOR
LEAD PLAINTIFF TO FILE THIRD AMENDED COMPLAINT

1 The parties, through their respective counsel of record, hereby submit this stipulated
2 agreement regarding the deadline for lead plaintiff to file its third amended complaint.

3 WHEREAS, on September 21, 2012, the Court issued an Order Granting Defendants'
4 Motion to Dismiss Second Amended Complaint ("September 21 Order") (Dkt. No. 79);

5 WHEREAS, the September 21 Order provides that lead plaintiff must file a third amended
6 complaint no later than 30 days from the date of entry of the September 21 Order, or by October 22,
7 2012;

8 WHEREAS, on October 4, 2012, lead plaintiff filed a Motion for Leave to File Motion for
9 Reconsideration of September 21, 2012 Order Granting Defendants' Motion to Dismiss Second
10 Amended Complaint ("Motion for Leave") pursuant to Civil L.R. 7-9 (Dkt. No. 81);

11 WHEREAS, on October 9, 2012 the clerk issued a Notice that the Court had set a date for
12 hearing on the Motion for Leave for November 9, 2012 at 1:30 p.m. (Dkt. No. 83);

13 WHEREAS, it is lead plaintiff's position that it is in the best interest of all parties to await
14 guidance from the Court in connection with lead plaintiff's Motion for Leave before filing a third
15 amended complaint;

16 WHEREAS, counsel for lead plaintiff has requested an agreement from defendants extending
17 the date upon which lead plaintiff must file the third amended complaint until after the Court rules
18 on the Motion for Leave; and

19 WHEREAS, counsel for defendants, in light of the request, has agreed to enter into a
20 stipulation, subject to the approval of the Court, extending the date for lead plaintiff to file a third
21 amended complaint until after the court rules on the Motion for Leave.

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1 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

2 The deadline for lead plaintiff to file its third amended complaint shall be extended until 14
3 days after the Court issues an order on the Motion for Leave.

4 DATED: October 16, 2012

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Additional Counsel for Plaintiff

1 DATED: October 16, 2012

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Attorneys for Defendants

9
10 I, Shawn A. Williams, am the ECF User whose identification and password are being used to
11 file the Stipulation and [Proposed] Order to Extend the Deadline for Plaintiff to File Third Amended
12 Complaint. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Gidon M. Caine has
13 concurred in this filing.

14 DATED: October 16, 2012

s/ Shawn A. Williams
SHAWN A. WILLIAMS

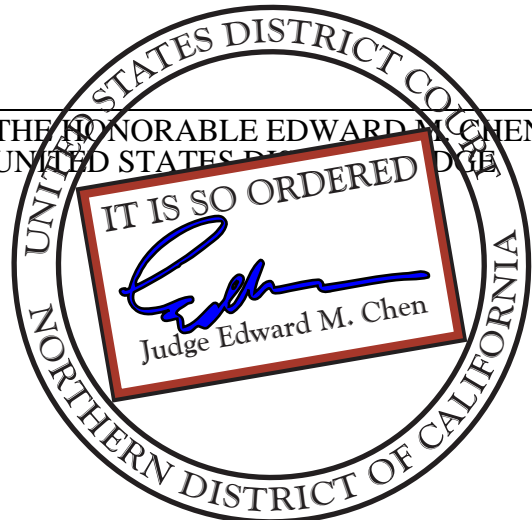
15 * * *

16 **ORDER**

17 IT IS SO ORDERED.

18 DATED: October 17, 2012

19 THE HONORABLE EDWARD M. CHEN
20 UNITED STATES DISTRICT COURT



CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2012, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 16, 2012.

s/ Shawn A. Williams

SHAWN A. WILLIAMS

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Mailing Information for a Case 3:11-cv-02448-EMC**Electronic Mail Notice List**

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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